

REMARKS

In the above-mentioned Office Action, all of the pending claims, claims 1-4, 7, 9-10, 13-20, and 26, were rejected. Claim 26 was rejected under Section 103(a) over the combination of Chiu and Daigle. Claims 2 and Claims 4 were rejected under Section 103(a) over the combination of Chiu, Daigle, and Bucknell. Claims 1, 3, and 7 were rejected under Section 103 (a) over the combination of Lynch, Ulrich, Chiu, and Daigle. Claims 13 and 15-17 were rejected under Section 103(a) over the combination of Lynch, Kaplan, Ulrich, and Chiu. Claim 10 was rejected under Section 103(a) over the combination of Lynch, Ulrich, Chiu, Daigle, Bucknell, and Friend. Claim 14 was rejected under Section 103(a) over the combination of Lynch, Kaplan, Ulrich, Chiu, and Bucknell. Claim 18 was rejected under Section 103(a) over the combination of Lynch, Kaplan, Ulrich, Chiu, and Friend. And, claims 19 and 20 were rejected under Section 103(a) over the combination of Lynch, Ulrich, Kaplan, Chiu, and Zirnstein.

Additionally, objection was made to the use of reference characters in the claims not enclosed within parentheses and to claims 2 and 4 for being separated by a claim that does not also depend from the dependent claim.

The amended listing of claims set forth herein cancels claims 2 and 4 and adds the recitations of these claims as new claims 27-28. The amended listing of claims is further believed to be free of reference characters.

The Applicants assert that Chiu, cited for showing, amongst other things, a home-node reconfiguration message processor configured to effectuate reconfiguration of a configuration of the disposition of email messages responsive to reception of a reconfiguration message is not a proper reference to be cited against the claims for reason of Section 103(c). Specifically, the Applicants assert that a subject matter disclosed in Chiu and the claimed

invention were, at the time the claimed was made, owned by the same person or subject to an obligation of assignment to the same person.

Both the subject applications are owned by or subject to an assignment to, Research In Motion, Limited. Chiu is assigned to Research In Motion Limited by assignment dated 25 October 2002, recorded at reel and frame number 013441/0394. And, the subject patent application is assigned to Research In Motion Limited by assignment recorded on 14 June 2004 at Reel and Frame number 015465/0560 of the United States Patent and Trademark Office.

In the rejection of independent claim 1, the Examiner acknowledged that neither Lynch nor Ulrich disclose the recited reconfiguration message generator and did not rely upon Daigle for showing such a feature. As Chiu is an improper reference to be cited against the claims, the Applicants assert that the remaining combination of references, i.e., Lynch, Ulrich, and Daigle, by the Examiner's acknowledgement, fails to disclose the recited reconfiguration message generator. Therefore, no combination of these references can be formed to create the invention of claim 1 as now-recited.

For analogous reasons, the Applicants further assert that, because Chiu is an improper reference, no combination of Lynch, Kaplan, and Ulrich can be formed to create the recited invention. The Examiner acknowledged that neither Lynch, Kaplan, nor Ulrich discloses generation of a reconfiguration message. Therefore, these references cannot be combined to create the recited invention. And, also for analogous reasons, the Applicants assert that, because Chiu is an improper reference, the recited invention is patentable over Daigle. Daigle was not cited for showing, nor appears to show, a home node a reconfiguration message processor.

The remaining dependent claims, which include all of the recitations of their respective parent claims, are believed to be patentably distinguishable over the cited combination of references for the same reasons as those just-given with respect to their respective parent claims.

Accordingly, in light of the forgoing, independent claims 1, 13, and 26, as now-presented, and the remaining dependent claims dependent thereon are believed to be in condition for allowance. Accordingly, re-examination and reconsideration and allowance of the claims is respectfully requested. Such early action is earnestly solicited.

Respectfully submitted,

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